OCA consumer register

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Register results

The following regulations have been issued by Federal agencies. The regulations previously have been summarized in CONSUMER REGISTER as proposals. The extent of consumer comment on each item is reported when such information is available.

● On Oct. 15, **Food & Drug Administration** (FDA) will require that consumer information leaflets be included in every package of a drug that FDA has approved for limited use as an injectable contraceptive. Because of the possible risks involved, this method is recommended only for a small group of women who cannot or will not use conventional contraceptive methods. FDA received 14 comments from individual citizens, consumer groups, a professional society & others. Three commented on the labeling proposal; others were concerned with other conditions for approval & safety aspects. Details—*Federal Register:* Sept. 12, page 32907; March 29, page 11680; Oct. 10, 1973, page 27940. CONSUMER REGISTER: Nov. 1, 1973.

● On Aug. 28, **National Highway Traffic Safety Administration** (NHTSA) republished & corrected its safety standards for new car tires. The standards were effective March 29, 1974. Details—*Federal Register:* Aug. 28, page 31322; Sept. 28, 1973, page 27050; Aug. 17, 1972, page 16604. CONSUMER REGISTER: Oct. 15, 1973; Oct. 1, 1972.

Recreation for handicapped

Federal Power Commission (FPC) has issued a statement of its policy for encouraging adequate access to recreational facilities for handicapped persons. FPC's policy applies to non-Federal hydroelectric power projects. FPC issues permits & licenses for "hydro" projects & requires the development of public recreational facilities at dam-site areas.

FPC's policy is to encourage builders of "hydro" projects to provide handrails or other walking aids (like ramps) in the recreational areas to increase the use of these facilities by handicapped persons & their families.

Public Health Service (PHS) says that "1 American out of 12 has some degree of ambulatory limitation."

Details—*Federal Register:* May 8, page 16338.

Aspartame

On July 26 **Food & Drug Administration** (FDA) approved aspartame as a sweetner for certain foods.

Aspartame (L-aspartyl-L-phenylalanine methyl ester) is 180 times sweeter than sugar but contains 4 calories per gram—the same number of calories as a gram of sugar. Saccharin, the only other approved sugar substitute, has no calories. The safety of saccharin is being studied by a panel of the **National Academy of Sciences-National Research Council** [see CONSUMER REGISTER: July 1, 1973].

FDA has not yet approved the use of aspartame in bottled soft drinks or for cooking because prolonged cooking temperatures result in a loss of sweetness.

FDA has approved the following uses of aspartame:

- Free-flowing sugar substitute for table use in units not to exceed the sweetening equivalence of 2 teaspoonsful of sugar.
- Tablets for sweetening hot beverages.
- Cold breakfast cereals.
- Chewing gum.
- Dry bases for beverages, instant coffee & tea, gelatins, puddings & fillings & dairy toppings.

The product was developed by G. D. Searle & Co. & is the first sugar substitute to be approved since FDA banned cyclamates (an artificial sweetener) 3 years ago.

Searle Co. says the new product, which will be sold under the brand name Equa, will be available in tablet & packet form on a limited basis in selected areas in November. Searle says aspartame will be generally available on a regional basis sometime during 1975.

If FDA feels that objections—if any—to its approval of aspartame are valid, it may hold hearings on the safety of the chemical. In the meantime, FDA will permit the sale of the product.

Details—*Federal Register:* July 26, page 27317; March 5, 1973, page 5921.

Get rich quick?

Securities & Exchange Commission (SEC) has issued a warning to would-be investors not to be taken in by get-rich-quick schemes that have no basis in fact.

SEC says the warning is necessary because of the recent promotion of fraudulent schemes that claim investors will get a quick & high rate of return on their money. It seems that many investors have lost the urge to invest in conventional securities (stocks & bonds) because of low dividends or interest rates & have been attracted to offbeat or unusual types of investments. Promoters of questionable investment schemes often do not register their stocks & bonds with SEC (which may be a violation in itself) but instead use some of the following tactics to lure investors:

- Promise spectacular returns—a solution to all your financial problems.
- Claim the existence of a new or exotic enterprise & that you (the consumer) "have been selected to get in on the ground floor."
- Pressure you to make a quick investment decision.
- Give post office box instead of street address.
- Spread rumors so that you might hear from others about unusual investment opportunities.

SEC suggests consumers investigate before investing. It offers some guidelines:

- Find out if the promoter is regulated by Federal or state laws.
- Insist on written material giving details on the in-

vestment & potential risks.

- Be cautious in dealing with strangers.
- Ask yourself why anyone would offer you a special opportunity to make a great deal of money quickly.

If you have misgivings about a get-rich-quick investment opportunity, SEC suggests you consult the Better Business Bureau, your state's securities office or one of the SEC's regional or branch offices.

SEC would like to know promptly about any investment schemes that sound questionable; SEC may then be able to take action to protect the public. This information can be sent to the Division of Enforcement, Securities & Exchange Commission, 500 N. Capitol St., Washington, DC 20549, or to any SEC regional or branch office (usually listed under "U.S. Government" in telephone directories).

Details—*Federal Register:* Aug. 1, page 27843.

Tomato juice (continued)

Food & Drug Administration (FDA) is delaying the effective date of its standard to permit processors to add Vitamin C to tomato juice. FDA has received an objection & request for a public hearing.

The standard was scheduled to go into effect Aug. 13, but now it will not be effective until after a public hearing. (CONSUMER REGISTER will summarize the issues raised when *Federal Register* publishes notice of a hearing.)

Details—*Federal Register:* Sept. 3, page 31898; June 14, page 20882; March 25, page 11095. CONSUMER REGISTER: July 15 & April 15.

Deceptive pricing (continued)

Oct. 18 is new deadline for comments on **Federal Trade Commission's** (FTC) proposed guides against deceptive pricing. The original deadline was Aug. 19.

Details—*Federal Register:* Aug. 21, page 30168; June 18, page 21059. CONSUMER REGISTER: Aug. 1. Send comments to Assistant Director for Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580.

Frozen desserts

Nov. 8 is deadline for comments on **Food & Drug Administration's** (FDA) proposal to amend the identity standards for ice cream, ice milk, sherbet & water ice.

The proposal, which was based initially on a petition from the International Association of Ice Cream Manufacturers (IAICM), would require that all ingredients in frozen desserts be listed on labels by the common or usual names. Now, identity standard does not require ingredients to be listed.

Manufacturers would have a choice of using the terms "water, milkfat & nonfat milk solids" in the ingredient statements or declaring sources of milk solids by category —such as "skim milk," "cream" or "whey." This would permit manufacturers to vary the sources of milk solids—depending on availability & price—without constantly changing labels.

Purpose of the proposal is to tell consumers what is in the products they buy.

For example, frozen custard, which would be consolidated with ice cream under the new standards, is just like ice cream except for the egg yolk content in frozen custard. Consumers who must limit their intake of eggs would know by reading the labels not to choose frozen custard.

Following is a partial description of the frozen desserts covered in the proposal:

- Ice cream contains not less than 10% milkfat, nor less than 2.7% protein &, except in the case of frozen custard, ice cream contains less than 1.4% egg yolk solids by weight of food. Frozen custard may not contain less than 1.12% egg yolk solids.
- Ice milk contains more than 2% milkfat but not more than 7%.
- Sherbet contains not less than 1% milkfat nor more than 2% & not less than 1% nonfat milk solids. It is characterized by addition of 1 or more fresh, frozen, canned, concentrated or dried fruit ingredients. Nonfruit ingredients include spices, chocolate & liqueurs.
- Water ice contains no milk or milk-derived ingredient & no eggs, other than egg white.

Details—*Federal Register:* Sept. 9, page 32562; July 25, page 27144; June 14, page 20890; Oct. 10, 1973, page 27924. CONSUMER REGISTER: Dec. 1, 1973. Send comments to Hearing Clerk, Food & Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Beer (continued)

Treasury Dept. is rescheduling a public hearing on its proposal to require ingredient labeling for beer. The date is Feb. 3, 1975, at 10 a.m. in the George S. Boutwell Auditorium, Internal Revenue Service Building, 1111 Constitution Ave. NW, Washington, DC. Treasury will continue to accept comments until Jan. 27, 1975. The hearing (originally scheduled for Oct. 1) was postponed because of Congressional interest in proposed labeling of all alcoholic beverages—beer, wine & distilled spirits.

Details—*Federal Register:* Sept. 18, page 33535; Aug. 1, page 27812. CONSUMER REGISTER: Sept. 1. Send comments & requests to present testimony to Director, Bureau of Alcohol, Tobacco & Firearms, Treasury Dept., Washington, DC 20226.

This listing, prepared by Marion Q. Ciaccio, is intended only as summary coverage of selected *Federal Register* items deemed of particular interest to consumers, & it does not affect the legal status or effect of any document required or authorized to be published pursuant to Section 5 of Federal Register Act as amended, 44 U.S.C. 1505. *Federal Register* is published Monday through Friday (except Federal Government holidays) by Office of the Federal Register, National Archives & Records Service, General Services Administration. Subscription is $5 a month or $45 a year & may be ordered from Superintendent of Documents, Government Printing Office, Washington, DC 20402. Superintendent also sells copies of *Federal Register* for 75¢ each. Free copies of *Federal Register* may be available in libraries.